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SUBJECT: AUGUST HUMAN RIGHTS UPDATE: EXTRAJUDICIAL KILLINGS
A CONCERN, PROGRESS IN CASES

REF: BOGOTA 3084

Classified By: Political Counselor John S. Creamer. Reason: 1.4(b,d)

SUMMARY

¶1. (C) The UN High Commissioner on Human Rights (UNHCHR) office in Medellin praised the GOC's commitment to end extrajudicial killings, but said it remains a problem on the ground. The Defense Ministry committee set up to address such killings reported 112 alleged victims in 2007, but human right groups and UNHCHR claim higher numbers. A local group claims 67 homosexuals were killed in 2006-2007, with 22 more murdered so far in 2008. We continue to press for progress in GOC investigations of break-ins into various human rights groups' offices. Justice and Peace (Justicia y Paz) received threats from the criminal group "Aguilas Negras"; we are working with the GOC on additional security. Former paramilitary "Don Antonio" was convicted of the murder of three unionists and a sociologist. The former Huila Assembly president was convicted for the 1998 murder of a journalist. The Inspector General's office (Procuraduria) ordered the dismissal of the Special Forces Brigade Commander for his role in the murder of three unionists in 2004. END SUMMARY.

DESPITE PROGRESS, EXTRAJUDICIAL
KILLINGS REMAIN A CONCERN

¶2. (C) UNHCHR Medellin office director Felipe Sanchez praised the GOC's commitment to end extrajudicial killings, but said such killings continue to occur. UNHCHR registered 14 alleged extrajudicial killings in the first six months of this year in Antioquia and Cordoba, up from 13 during the same period last year. All of the reported killings were attributed to the Army, with most committed by the 14th Brigade which operates in eastern Antioquia around Segovia, Remedios and Puerto Berrio. Sanchez said in some cases military units have used demobilized paramilitaries or FARC to commit the murders. In other cases, they have used demobilized fighters to recruit the victims. In eastern Antioquia, the UNHCHR also continues to receive reports of the Army using demobilized FARC or paramilitaries on patrols, and also as members of voluntary informant networks (redes de cooperantes). The MOD has banned both of these practices.

¶3. (C) Presidential Program on Human Rights director Carlos Franco told us that the Directive 10 committee met on August 13 and reached agreement with the UNHCHR, Defense Ministry, and Prosecutor General's Office (Fiscalia) on a common set of numbers of alleged extrajudicial killings. These figures show 38 alleged victims so far in 2008, as well as 112

victims in 2007. Franco said the committee also agreed to create a database of seized weapons to prevent military personnel from planting the same weapon on victims at the scene of alleged combat deaths; set up a subgroup to respond to individual and human rights groups' complaints on killings; select some emblematic cases to follow through to conclusion; and to classify complaints by case type (i.e. criminal intent, violation of ROEs, excessive force, etc.) to better identify the causes of the problem. Despite Franco's assertion, UNHCHR later told us they do not completely agree with the GOC's numbers. Human rights groups claim much higher numbers than those of the GOC.

REPORT FOCUSES ON VIOLENCE
AGAINST HOMOSEXUAL COMMUNITIES

¶4. (U) Colombia Diversa, a Colombian human rights group focusing on gay, lesbian, bisexual and transgender (GLBT) issues, released its bi-annual report on violence against homosexuals on August 27. The report documents 67 individuals killed due to their sexual preference in 2006-2007. So far in 2008, the group reports 22 deaths. 31% of the murders occurred in Cali. The report says the overwhelming number of victims of violence are transgender individuals involved in prostitution. Police abuse is reported in 31 cases. Of these, only three are under criminal investigation, with six in the disciplinary system. The group also cites high levels of prison violence against homosexuals by guards and other prisoners. The report

highlights advances, such as the recent Constitutional court decision extending health and pension benefits to same sex couples, but criticizes societal discrimination against GLBTs and the lack of a public policy to protect their rights.

NEW AND OLD THREATS TO HUMAN RIGHTS GROUPS

¶5. (C) Some human rights groups claim that various break-ins and robberies of human rights defenders dating from last year were conducted by military intelligence. We raised their concerns with Army Commander General Mario Montoya who agreed to look into the charges. He also asked for specific information on the various incidents. We will continue to raise this issue with senior GOC officials (reftel).

¶6. (SBU) We received calls on August 24th and 25th from local human rights group Justice and Peace (Justicia y Paz) and international human rights group Peace Brigades International (PBI) about threats to their field and Bogota offices by the "Aguilas Negras" criminal group. The threats centered on the groups' work in the Curvarado/Jiguimiando area. We contacted the military and police, who immediately provided additional security to the groups. We also reached out to the police and Fiscalia to support PBI's call for an investigation of the threats.

LABOR CASE REVELATIONS

¶7. (U) Edgar I. Fierro (Don Antonio) was sentenced to 25 years in prison for the murder of three union members in the department of Atlantico in 2003. Fierro, captured in 2006, was convicted by the Tribunal in Bogota. Fierro was also sentenced separately to 42 years in prison for the murder of Alfredo Correa de Andreis, a sociologist killed in 2004. Fierro has also admitted to prosecutors of the Justice and Peace unit in Barranquilla that in 2004 he ordered the assassination of Jose Humberto Torres, a well-known human rights lawyer who works with the Committee of Solidarity with Political Prisoners (CSPP). Torres has been granted protective measures by the GOC. Fierro is also under investigation for other murders.

CONVICTION IN PRESS MURDER

18. (U) Carlos Augusto Rojas Diaz, former president of the Departmental Assembly in Huila department, was arrested on August 26 for the murder of journalist Nelson Carvajal. Rojas Diaz was originally absolved of the crime in 2000, along with former Pitalito Mayor Fernando Bermudez and former Neiva Education Secretary Ramiro Falla. The trial court's ruling was upheld on appeal. The Fiscalía's Human Rights unit re-opened their investigation into the murder in 2005. Caravjal was killed in 1998 after publishing a story on local government corruption. The Fiscalía has also brought murder charges against two members of the FARC, Giovanni Molano Bonilla and Franklyn Gonzalez Ramirez.

PROCURADURIA ORDERS DISMISSAL OF
SPECIAL FORCES BRIGADE COMMANDER

19. (C) The Procuraduria ordered the dismissal of Special Forces Brigade Commander Colonel Medina Corredor--as well as Captains Luis Castillo and Hizardo Bravo and sub-lieutenant Juan Ordonez--from the Armed Forces on August 31 due to their involvement in the murders of three union members in Arauca on August 3, 2004. The Procuraduria found that Medina exceeded his authority in approving the military operation whose objective was to kill, not capture, the three unionists. The disciplinary body also determined that the military officials later approved a cover-up to disguise the murders as deaths in combat. The Procuraduria has forwarded its evidence to the Fiscalía which will decide whether to bring criminal charges against the officers. We halted U.S. assistance to the Special Forces Brigade in July pending GOC action against Medina.
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